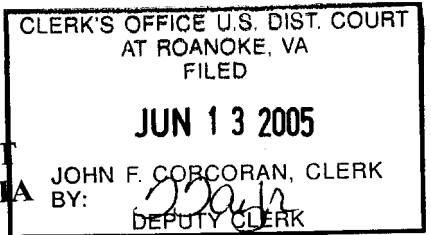


IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION



DEREK HORTON, #270179,
Petitioner,

v.

GENE M. JOHNSON,
Respondent.

Civil Action No. 7:05-CV- 00364

FINAL ORDER

By: Hon. Glen E. Conrad
United States District Judge

In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

that the petition for habeas corpus, pursuant to 28 U.S.C. § 2254, shall be and hereby is **FILED**
and **DISMISSED** and this action is hereby stricken from the active docket of the court.

The Clerk is directed to send certified copies of this order and the accompanying
memorandum opinion to petitioner.

ENTER: This 13th day of June, 2005.

[Signature]
UNITED STATES DISTRICT JUDGE